

HEALTH & HUMAN SERVICES COMMITTEE

of the

Suffolk County Legislature

Minutes

A regular meeting of the Health & Human Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York, on March 22, 2005.

Members Present:

Legislator Paul Tonna • Chairman
Legislator Allan Binder • Vice•Chair
Legislator Brian Foley
Legislator Daniel Losquadro
Legislator John Kennedy
Legislator Ricardo Montano
Legislator Peter O'Leary

Also in Attendance:

Mea Knapp • Counsel to the Legislature
Ron Cohen • Aide to Legislator Tonna
Ilona Julius • Deputy Clerk/Suffolk County Legislature
Jim Spero • Director/Budget Review Office
John Ortiz • Budget Analyst/Budget Review Office
Jill Moss • Budget Analyst/Budget Review Office
Linda Bay • Aide to Presiding Officer Caracappa
Dan Hickey • Aide to Presiding Officer Caracappa
Frank Tassone • Aide to Majority Leader
Kevin LaValle • Aide to Legislator Losquadro
Maria Ammiratti • Aide to Legislator O'Leary
Ellen Martin • Aide to Legislator Binder
Paul Perillie • Aide to Minority Caucus

Kara Hahn • Aide to Legislator Vilorio • Fisher
Ryland Gaines • Aide to Legislator Montano
James Teese • Aide to Legislator Kennedy
Ben Zwirn • Assistant County Executive
Jimmy Dahroug • County Executive's Office
Christina Baumgartner • County Executive's Office
Janet DeMarzo • Commissioner/Department of Social Services
Linda O'Donohoe • Assistant to the Commissioner/Dept of Social Services
Elizabeth Harrington • Deputy Commissioner/Dept of Health services
Bob Genna • Suffolk County Crime Lab
Donna Ruppenthal • Suffolk County Medical Examiner's Office
Fran Nelson • Suffolk County Medical Examiner's Office
Amea Bay • Suffolk County Perinatal Coalition
Steven Moll • Island Public Affairs
William Stoner • American Cancer Society
Ann Druckenmiller • Gerald Ryan Outreach Center
Anita Fleishman • Pedersen Krag
William Snak • Resident of Smithtown
Terry McLeod • Creative Socio Medics
Lydia Sabosto • AME
Rick Brand • Newsday
Emi Endo • Newsday
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

(*The meeting was called to order at 11:29 A.M.*)

CHAIRMAN TONNA:

Let's all rise for the pledge led by Legislator Montano

Salutation

Okay, it's great seeing everybody here. Hey, Danny, how are you? Pete, you're okay?

LEG. O'LEARY:

I'm okay. Yourself?

CHAIRMAN TONNA:

I'm feeling good, I'm feeling good. All right, let's start. We have a couple of cards. First we have a ***Public Hearing on IR 1293•05 • A Local Law to regulate the use of tanning facilities for minors in Suffolk County (Binder)***. William Snat, Snak; is that how I pronounce it, William?

MR. SNAK:

Yes.

CHAIRMAN TONNA:

I love your haircut. Anyway, all right.

MS. JULIUS:

You have to read it.

CHAIRMAN TONNA:

I have to read it? Okay, this is a Local Law to regulate the use of tanning facilities for minors in Suffolk County. Do you have to read something?

MS. JULIUS:

No.

CHAIRMAN TONNA:

No, that's all we needed to do officially?

MS. JULIUS:

I just have to tell you that the affidavits are in proper order and duly filed.

CHAIRMAN TONNA:

I would have known that, Ilona, I know what efficiency the Clerk's Office •• how they handle things. All right, so, William?

MR. SNAK:

My name is William Snak, I live in Smithtown. Back in 1997 I was diagnosed with melanoma. Back in '95 I used tanning salons, I don't know if that's a coincidence that I got melanoma two years later. When I did use the tanning salons they told me, "All right, go in this booth right here," when I got out I was red as a lobster. They said, "Oh, sorry. We thought that was the correct booth, you should have used a less •• one with I guess less UV light." But since then I've had eight surgeries, I'm still •• I still have melanoma, it spread to my brain, my liver, my colon. So since then I haven't been to any tanning salons, I have an SPF •• it's a medical jacket, SPF 50 jacket I wear every day in the summer, I have sunscreen on today. You know, ever since I was diagnosed with melanoma I've been going •• I went to MD Anderson in Texas, I went to Sloan Kettering, I've been to pretty much every hospital possible and using the Internet I was able to find out all types of things about melanoma. Long Island is number four in the country for melanoma and melanoma is rising every year. So I just want to support Legislator Fisher and her bill for the tanning booths and that somebody needs to •• under 17 to 14, needs to have it signed every time they go. And I would recommend not using a tanning salon at all.

CHAIRMAN TONNA:

Thank you, sir. I think there is a question from Legislator Fisher. And I appreciate •• sir? I appreciate very much that you took the time to come out, it must be very, very tough, and I just thank you very much.

MR. SNAK:

The type of information that you provided us will really help us with our decision making.

MR. SNAK:

Also, my haircut is from radiation.

CHAIRMAN TONNA:

Okay, thank you. But it still looks good, I'm telling you right now.

MR. SNAK:

Thanks. Well, it's in now.

CHAIRMAN TONNA:

Thank you.

LEG. VILORIA • FISHER:

Thank you so much for being here.

MR. SNAK:

Your welcome.

LEG. VILORIA • FISHER:

You know, when you mentioned MD Anderson, it really struck a cord because my sister was there and I stayed at a hospice area that was available for family going to be with family there. My sister was a smoker and she died of lung cancer eventually, but here we have another threat that's so clear and the correlations are being made stronger and stronger. And this bill isn't even asking for a prohibition, it's asking that we try to give control of tanning, putting that control in the hands of parents so that parents can be completely involved in their children's use of tanning salons. So I thank you for coming down here and speaking, but I do have a question.

MR. SNAK:

Sure.

LEG. VILORIA • FISHER:

When you went to the tanning salon •• now, we did have a number of salons who came to speak at a previous public hearing and they said that they keep a record of how often people come and they kind of almost have a protocol. But you're saying that when you went to a tanning salon, you went into a booth and came out burnt; can you tell me how long were you in the tanning device?

MR. SNAK:

I believe it was 15 minutes; this was back in 1995 when I was diagnosed.

LEG. VILORIA • FISHER:

Fifteen minutes? Wow.

MR. SNAK:

And they put me in, I guess, the strongest booth they had, they had a new booth that was, you know •• and it was a Smithtown tanning parlor. And now I see ••

LEG. VILORIA•FISHER:

Yeah, I've heard a lot of stories like this.

MR. SNAK:

Right.

LEG. VILORIA•FISHER:

As I'm in the supermarket and other places, people will come to me and say, "I went to a tanning salon before my wedding and I was put into a machine that was too strong."

MR. SNAK:

Right, I was on my way to spring break in Cancun and I didn't want to get burned, so I figured I'd ••

LEG. VILORIA•FISHER:

And you did get burned.

MR. SNAK:

I did at the tanning salon, twice.

LEG. VILORIA•FISHER:

And for those people who might not know it, when someone is burned, especially a young person, their chances, the younger you are when you suffer a sunburn, a severe sunburn, the more likely you are to develop skin cancer later on.

MR. SNAK:

Especially under 18.

LEG. VILORIA•FISHER:

Yes. So I thank you again for coming.

MR. SNAK:

You're welcome.

CHAIRMAN TONNA:

Thank you, sir. Okay. I'm going to make it a motion to close the public hearing, seconded by Legislator Fisher. All in favor?

LEG. VILORIA•FISHER:

No, I can't. I'm not on the committee.

CHAIRMAN TONNA:

Oh, you're not? Okay, second by Legislator Foley. All in favor? Opposed? Okay, we're going to close this public hearing. Okay? Great.

Is it at this time •• okay, we have Anita Fleishman. Hi, Anita. How are you today, Anita?

MS. FLEISHMAN:

I'm fine, thank you. How are you?

CHAIRMAN TONNA:

Thank you very much for coming.

MS. FLEISHMAN:

Good morning. Thank you for allowing me time to speak today. I am Anita Fleishman, I am the Executive Director of the Pedersen•Krag Center. However, this morning I'm here representing the Suffolk County Coalition of Mental Health Service Providers.

CHAIRMAN TONNA:

Okay.

MS. FLEISHMAN:

We're comprised of 21 facilities that provide services, both in•patient and

out•patient, to individuals that present with psychiatric or substance abuse disorders. We have all been witness to the proliferation of the criminalization of people with mental illness, and I think a figure that's been bandied about is that it is believed that 16% of all inmates in jails and prisons suffer from a mental illness, and of that percentage, 70% are there for nonviolent crimes.

As incarceration of the mentally ill has become more broadly apparent, so has the need for the creation of diversion alternatives. We were, therefore, very pleased to learn that this Legislature looks towards reducing the costs of the building of the new Suffolk County Jail and one of the measures that will be considered towards that end might be the establishment of a mental health court. The coalition fully supports the establishment of a mental health court as a means of court•based diversion. However, we must all remain quite vigilant that it is not seen as a panacea for addressing the needs of the growing number of people with mental illness who come into contact with the criminal justice system, but rather should be viewed as just one part of the solution.

I think we all must remain very, very wary that no program of alternative disposition can be effective unless the essential services and supports that individuals with serious mental illness need to live in the community are available. The current out•patient and in•patient mental health system is terribly overburdened and it continues to shrink. Emergency rooms are backed up. Most agencies out there have appointments scheduled for •• don't have an open appointment for at least three months, and appropriate level of supervised and supportive housing is virtually non•existent. The success •• we believe that the success of any system utilizing alternative sentencing and its concomitant creation of a long•waited mental health court rests in our ability to assure that the resources necessary to prevent recidivism are firmly in place. This will entail the collaboration and cooperation between multiple systems and agencies that provide such services. We stand ready and would welcome the opportunity to partner with all involved in the creation of a successful system that could serve as a role model for others around the country. Thank you.

LEG. FOLEY:

Question.

CHAIRMAN TONNA:

Thank you very much. There's a question from Legislator Foley.

LEG. FOLEY:

Thank you, Mr. Chairman. Thank you for your comments; Ms. Fleishman? Over here, to your left. Okay. You mentioned successful models.

MS. FLEISHMAN:

Yes.

LEG. FOLEY:

Are there other parts of the country, have you done some comparative studies or analysis to see if there are other municipalities that have adopted some of the models that you speak of and can we adapt it to our particular County?

MS. FLEISHMAN:

Unfortunately, there's no •• there has been no formalized reporting of the efficacy of a mental •• of the efficacy of mental health courts. However, there are many states that do have this program in and our coalition is currently examining all of them, in fact, we have recently made a visit to Brooklyn where there is a very successful court running and we are meeting with judges out here that are interested in creating the mental health court. So we are looking at models that are successful as well as models that aren't successful to compare the difference.

LEG. FOLEY:

Right. Just through the Chair, at what point will you be able to make some judgments about these different jurisdictions and how we can apply it here so you can come back to the committee to give us your good judgment on it?

MS. FLEISHMAN:

I would be hopeful that we can give you some substantive data within six months.

LEG. FOLEY:

Six months. Thank you, Mr. Chairman.

MS. FLEISHMAN:

Thank you.

LEG. FOLEY:

Thank you.

CHAIRMAN TONNA:

Thank you. Thank you, ma'am. Terry McLed (sic)?

LEG. LOSQUADRO:

McLeod.

CHAIRMAN TONNA:

McLeod; oh, that's a C, I'm sorry.

MR. McLEOD:

My writing got you. I'm Terry McLeod.

CHAIRMAN TONNA:

I'm telling you, you're looking good,

MR. McLEOD:

I'm telling you, you look good today. I work with Creative Socio•Medics and I am a citizen here in Suffolk County. And the methadone programs here, I •
• the resolution before you regarding the methadone clinics, I think it's 1282, pretty much says most of what I have to say.

The system that they are using is manual which is antiquated and really not good for record keeping. A lot of the records that are necessary in this business just fall through the cracks. It's a highly regulated industry and a lot of folks are interested in the types of data that are gathered. Like the DEA, they have specific audits that they perform that require certain information about narcotics inventory, what comes in, where does it go,

every drop of it.

The OASIS, which is our State regulating agency for these sorts of clinics, has regular inspections and audits also, as does _CARF_ just to stay, keep the doors open. They need to provide a lot of information to a lot of folks, that information takes time to gather. That information is captured automatically by the these sorts of systems, the software system that I pretty much •• I laid out the information on the system in a little brochure that I passed out to everyone here and that pretty much tells the story of the system.

What is not said is that the system will pay for itself. Ultimately there's a lot of •• any overtime of nurses or other practitioners is eliminated by the use of the system because it takes so little time to balance your inventory at the end of the day and you're sure that the patients are getting the care not only that they need but the care that is required by State, Federal and local dictates. And I'm also here if there are any questions about the product or the industry in general.

CHAIRMAN TONNA:

On the motion? Well, we don't have •• yeah?

LEG. VILORIA•FISHER:

I'll wait till all the committee members ask questions.

CHAIRMAN TONNA:

Okay. I just would want to say, I'm looking over the resolution and this is, you know, basically amending the Capital Budget. I don't know if it's at the time •• I mean, no vendor is going to be chosen, there's going to be an RFP process and everything else, right?

LEG. VILORIA•FISHER:

That's going to be my question.

CHAIRMAN TONNA:

Right. So I don't know if I want to question one particular vendor.

LEG. VILORIA•FISHER:

Okay, can I respond to that?

LEG. LOSQUADRO:

I don't know if the mike is on.

LEG. VILORIA•FISHER:

Thank you. I would like to respond to that. The reason we have this here with this particular vendor is because this had been approved in the cap •• in the 2004 Capital Budget. There had been an RFP process.

CHAIRMAN TONNA:

Okay.

LEG. VILORIA•FISHER:

Mr. McLeod's firm did win that bid and they did win that contract, but then it was never followed through; am I correct?

MR. McLEOD:

It was never funded.

LEG. VILORIA•FISHER:

It was never funded, although it had been in the Capital Program of 2004 •• in the budget of 2004.

CHAIRMAN TONNA:

Right.

LEG. VILORIA•FISHER:

And this was a company that in good faith went through the RFP process, was chosen, did have a contract and then the funding •• they were told the funding wasn't there.

CHAIRMAN TONNA:

Well, the question is is that if we put it in for 2005, right, or whatever, is

there going to be a whole new RFP process?

LEG. VILORIA•FISHER:

Well, they've already •• they already have a contract in place.

CHAIRMAN TONNA:

Well, maybe I'd ask Legal Counsel, somebody from the Health Department; is there anybody from the Health Department?

LEG. VILORIA•FISHER:

I thought they had a contract, maybe I'm wrong.

CHAIRMAN TONNA:

I notice that the Commissioner is not here this time; is there a reason why the Deputy Commissioner is here, but why the Commissioner wouldn't be here?

DEPUTY COMMISSIONER HARRINGTON:

He's in Washington.

CHAIRMAN TONNA:

Okay, good for him. All right, come on up and just give us the skinny on this issue. Because again, I don't feel comfortable in asking questions of a vendor if we have •• you know, if there's a new RFP process and stuff like that.

LEG. VILORIA•FISHER:

Right. Thank you, Mr. Chair. That's a point well taken. And I did ask the vendors about that and they had gone through the RFP process. Thank you.

CHAIRMAN TONNA:

Okay. From the Health Department's standpoint, if there was funding provided in the Capital Budget, would you then just utilize this basically for the already existing RFP contract or do you have to go through a whole new RFP?

DEPUTY COMMISSIONER HARRINGTON:

I could be wrong but it was my understanding we had to go through the process again.

CHAIRMAN TONNA:

Okay.

DEPUTY COMMISSIONER HARRINGTON:

And the other question that I had •• there's no doubt that this is a program we want, we wanted it last year •• is the cost. We put in our 2006 Capital Budget I believe two weeks ago and my recollection is that the cost was substantially higher. So I'm not sure if the cost in this IR truly reflects the current cost of the program or not, I would ask that we ••

CHAIRMAN TONNA:

And you're an attorney, right? Yes, right?

DEPUTY COMMISSIONER HARRINGTON:

Yes.

CHAIRMAN TONNA:

Yes, okay. And I just ask from our Legal Counsel, do you concur with our Deputy Health Commissioner's assessment?

MS. KNAPP:

Sorry, I wasn't following entirely, but I'm sure that probably what Elizabeth said was that, you know, you would have to look at the language of the RFP and the contract. And contracts in general are subject to appropriation, so that if it was not •• if there was no appropriation, it may be that that contract is no longer valid.

CHAIRMAN TONNA:

Okay. So then I would ask, if you don't mind, in deference to our speaker, thank you, but I think at this time it would be better not to ask one particular vendor who happens to have probably all the good will in the world, who went through a process, I know what it's like to go through RFP process, the expense and everything involved in that, to have, you know, a program and yet not be funded. But I think right now we need to stay on the merits of funding a program, not answering questions or asking

questions of a particular vendor.

LEG. VILORIA • FISHER:

Thank you, Mr. Chair. I had not been informed of that.

CHAIRMAN TONNA:

That's why we asked.

LEG. VILORIA • FISHER:

I thought that once the contract was done that we could just try to get the money back in to fund it.

CHAIRMAN TONNA:

Okay.

LEG. VILORIA • FISHER:

So thank you.

CHAIRMAN TONNA:

Thank you. Okay, thank you sir. Okay, we're going to move to the agenda now. Thank you very much. You can stay there, just in case.

DEPUTY COMMISSIONER HARRINGTON:

Oh, I will.

TABLED RESOLUTIONS

CHAIRMAN TONNA:

Okay, we're going to move to the agenda and we'll start with Tabled Resolutions, **No. 2324 • 05 • Authorizing a satellite Social Services Office in conjunction with the Police Sub • Station at New York Avenue, Huntington (Binder)**. The sponsor not being here, I'm going to make a motion to table.

LEG. FOLEY:

Second.

CHAIRMAN TONNA:

Seconded. All in favor? Opposed? ***Tabled, No. 2324 is tabled (VOTE: 6•0•0•1 Not Present: Legislator Binder).***

LEG. VILORIA•FISHER:

2324 is mine?

CHAIRMAN TONNA:

No, no, the sponsor is not here. Can we get her an agenda? Can we get the Legislator an agenda so she has a road map?

LEG. VILORIA•FISHER:

I also gave Mister •• I gave Ron my copy of the amended copy of my bill, can I just have that back?

CHAIRMAN TONNA:

Okay, we're on ***1065•05 • Adopting Local Law No. 2005, a Local Law to regulate the use of tanning facilities in Suffolk County (Viloria•Fisher).*** Motion •• is there a motion? I'll make a motion to approve.

LEG. FOLEY:

Second.

CHAIRMAN TONNA:

Seconded by Legislator Foley.

LEG. LOSQUADRO:

On the motion?

CHAIRMAN TONNA:

On the motion?

LEG. LOSQUADRO:

Yeah. If I may, through the Chair.

CHAIRMAN TONNA:

Sure.

LEG. LOSQUADRO:

Thank you, Legislator Vilorio•Fisher, for joining us. I just got a chance to look at the amended copy now and I know you and I have had a number of discussions on this. The last discussion I had had, and I do agree that the parent should have a say in this, there is no substitute for good parenting, but good parenting requires having the right information. I think the idea of having the parents having the ability to choose the length of time for which they give their consent is very good, but having a six month cap on it, I thought •• the last discussion we had had I thought we had said a year, I know you said you had some concerns with that. Quite frankly, I think there would be many parents out there who would choose a lower period of time, this way you could sort of keep tabs on things so to speak. If you chose three months and then you went back in three months and asked how many times your child had been there and saw it was 18 or 20 times, obviously you're going to cut them off, you know, you probably don't think that's the best idea, or maybe you do, that's a parent's discretion. But I thought that giving the parent the opportunity to choose that period of time for a longer period of time than six months would be more fitting.

CHAIRMAN TONNA:

Wait, I •• if you don't mind, I lost you. I hear that you're saying there's six months with this law, right?

LEG. LOSQUADRO:

A parent can choose to give their consent.

CHAIRMAN TONNA:

For six months now.

LEG. LOSQUADRO:

Right now, usually best practices are they require parental consent, it's kept on file. The initial discussion was to have that on file for one year with no discretion there.

CHAIRMAN TONNA:

Right.

LEG. LOSQUADRO:

I like Legislator Vilorio•Fisher's proposal to give the parent the opportunity to choose a shorter period of time ••

CHAIRMAN TONNA:

Right.

LEG. LOSQUADRO:

•• but it's now capped at six months. And I thought that keeping to that •• give them the opportunity to choose after that year and let them use their best judgment as to how long they think that approval should be in place.

CHAIRMAN TONNA:

All right, thank you very much. Well, I'm going to go and then Legislator Montano. I'd ask Legal Counsel, I notice that there is a bill here sponsored by Legislator Binder that has almost the same title, if not the same title, and I'm wondering how this takes place. I know that originally this was Legislator Vilorio•Fisher's idea. What are the differences of the bills and why •• you know, why do we need two bills? Well, I'll answer, you know ••

MS. KNAPP:

Yeah, I was just going to say.

CHAIRMAN TONNA:

You can't say why.

MS. KNAPP:

It's very difficult to answer the question as to why we need two bills.

CHAIRMAN TONNA:

Right.

MS. KNAPP:

Basically the difference initially was that Legislator Binder's bill did allow the filing of a written permission slip.

CHAIRMAN TONNA:

As opposed to?

MS. KNAPP:

The original bill that Legislator Vilorio•Fisher filed required a parent to be present.

CHAIRMAN TONNA:

Okay. So but now we have a corrected copy with Legislator Vilorio•Fisher, right?

LEG. VILORIO•FISHER:

A compromise.

CHAIRMAN TONNA:

And the compromise is?

MS. KNAPP:

That she permitted the filing of a document signed by the parent, that the parent could choose the expiration date up to six months, and I believe the other one was up to a year.

CHAIRMAN TONNA:

Can I just ask one question? Maybe •• and I think some of us had raised children who were teen•agers and older or whatever else, and just knowing the practice of when I was in high school with signed permission slips for days off or, you know, sick, whatever. And being that we have a Detective here on our •• I mean, how do we •• how do we check the veracity of a parental signature •• excuse me?

LEG. VILORIO•FISHER:

It's in person.

CHAIRMAN TONNA:

Oh, they have •• the parent has to show up ••

LEG. VILORIA • FISHER:

To sign consent.

CHAIRMAN TONNA:

•• to do the signing, as opposed to Legislator Binder's which is just a signature and they hand it in?

LEG. LOSQUADRO:

No.

CHAIRMAN TONNA:

That's what I'm trying to understand. Because I was a master at absent notes, I want you to know. I'll make the public aware, you know, I'm term limited out, you don't have to vote for me again.

LEG. VILORIA • FISHER:

You still are.

CHAIRMAN TONNA:

So could you just explain this to me?

LEG. LOSQUADRO:

Mr. Chairman?

CHAIRMAN TONNA:

Yes.

LEG. LOSQUADRO:

I was going to say, while Counsel is looking at it, I believe both bills required a parent or guardian to be present to give that consent and be made aware of the potential risk factors and all those things. But while Legislator Binder's had a blanket, one year time period, this would give them, the parent, the opportunity to choose a lower •• a shorter period of time but caps it at six months. I thought the opportunity should be there for them to extend it, it is their decision, we're not trying to legislate people's lifestyles here ••

CHAIRMAN TONNA:

Right.

LEG. LOSQUADRO:

•• merely make them aware of the potential dangers.

CHAIRMAN TONNA:

Okay, thank you.

LEG. LOSQUADRO:

I don't want to speak ••

CHAIRMAN TONNA:

That answers that question for me.

LEG. LOSQUADRO:

I don't want to speak for the sponsor, but I believe that was her intention.

CHAIRMAN TONNA:

The other question I have is did Legislator Binder ever reach out to you and say, "Look, I have one problem with the bill and I'd like to compromise on the bill and I have an idea," or anything else like that?

LEG. VILORIA•FISHER:

No, we never had any conversation about the bill.

CHAIRMAN TONNA:

So •• okay. So I just •• before I recognize Legislator Montano, I will say, and I've said it at General Legislative meetings, whether it be Democrat, Republican, forget about politics, I think it's a terrible practice that we get involved in when Legislators are not, you know, talking to each other. When somebody submits a bill and then somebody else basically says, "Oh, here's an opportunity," and drafts another bill with the same title and everything else, without even at least giving the Legislator who sponsored the original legislation an opportunity to dialogue with. I just think, you know, it's a free

country, any Legislator can do it, but I've seen when that was happening when I got on to the Legislature early, and I know that Legislator Foley can bear this out; in the long run it leads to not having government and elected officials working together, but it leads to a lot of roadblock, it leads to a lot of tit•for•tat and actually it's a waste of the taxpayer's time and the jobs that we do as Legislators.

So I would just •• I mean, I would say it in front of the sponsor here, but I will make sure that my office makes that known. I will never vote for a bill that somebody basically takes from somebody else without at least giving the common courtesy of calling the Legislator up, I don't care if it's Democrat or Republican, to give the Legislator the common courtesy of calling them up and saying that they have some philosophical differences with the bill.

LEG. O'LEARY:

Through the Chair?

CHAIRMAN TONNA:

Thank you. I have a list and, Legislator O'Leary, you're on it. Legislator Montano, then Legislator Kennedy, then Legislator O'Leary and then Legislator Foley.

LEG. FOLEY:

Thank you.

LEG. MONTANO:

Yeah, I just had a question with respect to section •• is it 5, Penalties where it says, "Any person who knowingly, willingly violates Section 3 shall be guilty of an unclassified misdemeanor punishable by a fine of up to a thousand and/or one year in prison"; that pertains to the ••

LEG. VILORIA•FISHER:

The salon or the tanning parlor owner.

LEG. MONTANO:

Just the tanning parlor owner, it doesn't pertain •• because I'm not sure the

way I'm reading it that I read it in that fashion. I want to make sure that the ••

LEG. VILORIA•FISHER:

Well, actually, Counsel made the language very clear by stating •• she changed the language so that it would be consistent in the two restrictions, A and B, so that it says, "Shall be permitted and shall be permitted", you see, "No person shall be permitted," so that it puts the onus on the tanning parlor.

LEG. MONTANO:

Are we Section A or B?

LEG. VILORIA•FISHER:

Section 3, A and B, both of them use the term "shall be permitted", so it's the tanning parlor who can't ••

LEG. MONTANO:

Okay, "No person shall be permitted." And Section 4 only applies to the tanning salon?

LEG. VILORIA•FISHER:

Yes, those are the requirements of •• I should let Counsel answer these.

(*Legislator Binder entered the meeting at 11:56 A.M.*)

LEG. MONTANO:

Yeah, let Counsel.

LEG. VILORIA•FISHER:

But those are State requirements.

MS. KNAPP:

Legislator Viloria•Fisher has correctly pointed out that the requirement section is limited to the State law that requires the posting of warning signs and certain other informational requirements.

LEG. MONTANO:

I'm not sure I'm getting this, and I apologize. The violation is with respect to the State law; is that what I understood you to say?

MS. KNAPP:

Section 4 is limited to State law.

CHAIRMAN TONNA:

That's what it is now?

MS. KNAPP:

Section 4 requires the posting of signs, that's under State law.

The penalties are only for Section 3, the penalties relate only to the portions of the bill that refer to not permitting a minor to use the tanning device.

LEG. MONTANO:

Okay. So just off ••

MS. KNAPP:

Penalties are only Section 3.

LEG. MONTANO:

Penalties are only Section 3. And the penalty section only applies to the owner of the facility, not the 14 to 18 year old; is that accurate?

MS. KNAPP:

Yes. We changed the language from "prohibiting the use", which could have encompassed both the minor and the facility, to "shall be permitted." So it's whomever permits them to use it in violation of the law.

LEG. MONTANO:

Okay. Well, I just •• the way I read it, it says, "Any person who violates Section 3 shall be guilty of an unclassified misdemeanor," and I'm not sure I'm getting that distinction. But that was my question.

CHAIRMAN TONNA:

Okay. Legislator Kennedy?

LEG. KENNEDY:

My question is to the Health Department. And I've had some conversation in general with the sponsor before about this, it's an issue that's not necessarily addressed in the bill but it's just a question about regulation.

Does anybody actually do any kind of site monitoring regulation or inspection of these parlors and the operation of the equipment? Is it a State Health Department requirement, does the County have anybody who does •
• sanitarians, do they go in, do they look at the equipment, how it operates, whether it's calibrated properly; is there any inspection or oversight at all?

DEPUTY COMMISSIONER HARRINGTON:

My understanding is that the sanitarians respond to complaints, so if there would be a complaint arising out of the operation of this law, we would respond to that. I don't believe that we currently go out into facilities and inspect them, I believe that is a State function.

LEG. KENNEDY:

Are they licensed to operate or is there anything that they maintain with our Health Department as far as any kind of permitting, licensing or ongoing operation?

DEPUTY COMMISSIONER HARRINGTON:

I don't believe so, Legislator.

LEG. KENNEDY:

Nothing, nada.

DEPUTY COMMISSIONER HARRINGTON:

I don't believe so.

LEG. KENNEDY:

Thank you.

CHAIRMAN TONNA:

Thank you. Legislator, I think O'Leary then Foley.

LEG. O'LEARY:

Yeah, my question to the sponsor is with respect to the accompaniment by a parent or a legal guardian. How is that determined, just by the individual saying that they are a parent or legal guardian or are they going to be obligated to provide the appropriate identification identifying them as such?

LEG. VILORIA•FISHER:

Since it's •• it has the force of law, I would anticipate that the parent would be asked for identification.

LEG. O'LEARY:

But it doesn't say so.

LEG. VILORIA•FISHER:

At least with the name. It doesn't say so, but because we have this •• this has the force of law, I think that the tanning salons would be asking the parent for identification.

LEG. O'LEARY:

But that only assumes that the tanning facilities will be asking for the proper identification. There's no indication ••

LEG. VILORIA•FISHER:

Well, knowing that there is a penalty, don't you •• you know, I entrusted this to Counsel with the wording and the Health Department had no problem with the wording either and their Counsel. It seems to me that the onus is upon the tanning salon to determine that the parent who is doing this waiver is the parent, the person doing the waiver is indeed the parent.

LEG. O'LEARY:

Yeah. Well, I had not thought of this until the Chair brought up the fact that ••

LEG. VILORIA•FISHER:

His bogus notes?

LEG. O'LEARY:

The creativity of some of our youngsters today, you know, they can get anybody to come in and say that they're a parent. And if there's not a requirement on the part of the facility to absolutely check that, then I have a concern whether or not the minor is accompanied by a parent or legal guardian.

LEG. VILORIA•FISHER:

I'll leave the answer to that to Counsel because that's a legal issue.

MS. KNAPP:

I considered requiring the consent to be notarized, however the concern that I had about that was that if you're requiring a parent to be there in person, then you're also imposing an obligation that there always be a notary on the premises, otherwise you're going to have the parent like filling out the form, running to a local establishment to get it notarized and then bringing it back. However, I can put in •• I mean, it's up to the sponsor.

CHAIRMAN TONNA:

Can I make a suggestion? I mean, in an I•9 Form, okay, as an employer, an I•9 Form requires that they specify exactly the ID that's needed to sign •off, a license, Social Security Card.

LEG. VILORIA•FISHER:

We can ask for ID.

CHAIRMAN TONNA:

I would think that at least a license, we have photo licenses, you know.

LEG. O'LEARY:

Well, but there's no indication of that in the proposal.

CHAIRMAN TONNA:

No, I agree. I'm agreeing, I just think that there •• you know, if you say that they need as part of the signature, you know, a copy of their license or something like that so that they ••

LEG. O'LEARY:

Proof of identification and relationship.

CHAIRMAN TONNA:

Yeah, but I would specify what type of proof, you know. I mean, if somebody •• picture ID or whatever else, I think that that would help. Anyway, there is a list.

LEG. O'LEARY:

Well, I'm not ••

CHAIRMAN TONNA:

Yeah, go ahead.

LEG. O'LEARY:

May I suggest that the sponsor take this into consideration? Because that is a concern of mine.

CHAIRMAN TONNA:

It's a good one.

LEG. O'LEARY:

I mean, the youngsters today can get an older friend who •• obviously the age differential would have to be such that the tanning facility would think that the individual is a parent or guardian, but that can clearly happen in certain instances. And unless there's a requirement, an absolute requirement that the child who is accompanied by an adult shows and verifies the relationship between that individual, the child and the adult, namely that being a parent or a legal guardian through the appropriate identification, there's clearly a loophole in this which allows perhaps misuse.

LEG. VILORIA • FISHER:

Probably requiring identification would probably not be too burdensome to add to the language. Requiring relationship might be more difficult, I mean, I don't have anything that I carry that shows that I'm my kid's parent, but I could have identification.

LEG. O'LEARY:

But if you're going to bring your child to a tanning facility, perhaps you should. Perhaps you should bring a birth certificate or something indicating that you are clearly related to the child who's coming in for tanning.

LEG. VILORIA•FISHER:

Or at least the first time that you bring them.

LEG. O'LEARY:

Yes. I mean, but ••

CHAIRMAN TONNA:

But names, names always •• aren't always an indicator either, so.

LEG. VILORIA•FISHER:

The same.

LEG. O'LEARY:

I know that. I know that.

CHAIRMAN TONNA:

But I agree with Legislator O'Leary, I think we need to attend to that. Just Legislator Foley and then myself, I have one other question.

LEG. FOLEY:

Thank you, Mr. Chair. This is for the sponsor. Legislator Viloria•Fisher, you mentioned •• a question raised by Legislator Losquadro regarding the six months as opposed to one year, could you just state on the record why you've made that change? You mentioned a compromise, but if you could just expand on that and why you see that as an important change that should persuade a majority of the committee to support the bill?

LEG. VILORIA•FISHER:

There has been a clear scientific correlation between tanning, burning and various forms of skin cancer, basal cell carcinoma, squamous cell carcinoma and melanoma. We in this County have been very proactive in prohibiting

the use of substances that have a clear correlation with cancer, we've been very proactive in our prohibitions regarding tobacco, and that's a prohibition. What we're doing in this legislation is giving the control and the direction of exposure, putting it in the hands of the parents.

Certainly a six month period gives the parent the ability •• I would prefer to have the parent with the child at every visit, but in the spirit of compromise and in the spirit of looking for the success of this particular piece of legislation, I have moved to allowing the parent to determine the period of time. Some of the arguments that were posited in response to my original legislation was that it was too onerous and that it was too difficult for parents to have to sit with the child each time they attended, they visited a salon. Well, certainly six months is not too much of a burden for parents to have to go to give their child permission to engage in an activity that has the potential of severe health repercussions in the future.

The young man who spoke earlier spoke of going to a tanning salon and being put under lights that were not suited to his skin type and being left in too long, 15 minutes is a very long time; he suffered severe sunburn. If a child under the age of 18 suffers one severe sunburn, one sunburn, the chances of developing skin cancer later on increase not one•fold or two•fold, but even more. So we •• we're trying to protect the health of our young people, of our community, but giving to parents the ability to protect themselves.

As a parent, I feel it's important for parents to be given the protection under the law and the authority under the law so that it doesn't become a point of contention between them and their teen•ager. Some people have said, "Well, the parent can clearly see if the kid has gone tanning because they can see the tan;" well, that's after the fact. We want to give the parent the ability before the fact to control the use of tanning devices by their child.

CHAIRMAN TONNA:

I just •• I have one quick question, or actually a statement. I have a problem with the fine and/or jail time. I just think •• in our tobacco law we have it just fine only. And to tell you quite honestly, when you're talking about overcrowding of jails, when you're talking about everything else, my

real concern would be I think •• for example, I run a tanning salon, let's say, hypothetically, and I have somebody at the desk who takes the stuff, I'm off on vacation for a couple of weeks, you know, up north •• because I'm already tan, I don't need to go down south, I use my own product •• and I'm up north skiing and I come back and I find out that the person who was running the reception desk signed all the stuff but actually, you know, let their friend in, all right? Now, I'm going to be fined a thousand dollars, but I also have a chance, a potential of a year in jail, and I just think that's a little severe considering what a year of jail time gets somebody else for the crimes that they have to commit.

I would suggest to the sponsor, and I know for myself for being able to support this legislation, I have no problem with the thousand dollar fine, but I do have a real problem with the year or any imprisonment given how much it costs us to imprison people, given the state of our jails and everything else right now with the supposed overcrowding and everything. So I would ask, since we're looking at making some changes, I'd ask that you think •• and the precedent is our tobacco laws; in Suffolk County our tobacco law is fine only, it's not •• there is no jail time; I don't know what the State law is but I know what our County Law is. So I would ask that the sponsor maybe consider something like that.

LEG. VILORIA•FISHER:

Well, I'm listening to all suggestions.

CHAIRMAN TONNA:

Right. You know, that would be it for me. Thank you.

LEG. O'LEARY:

Through the Chair?

CHAIRMAN TONNA:

Yes. I can recognize you now, Legislator, I'm done.

LEG. O'LEARY:

Thank you very much. With respect to that comment you just made about imprisonment for a violation of this particular law, I think it's highly unlikely that anyone will be sentenced to prison. The •• when you have a clause in

where the language is up to one year's imprisonment, sometimes that can be 30 days, it's up to one year. But however, the one thing you have to concern yourself with, if we're successful with passing this particular law, the •• there's no mention, there's no graduation of fines and you could have a situation where someone is a violator, a repeat offender, so to speak.

CHAIRMAN TONNA:

Yeah, that's a good idea.

LEG. VILORIA • FISHER:

Graduated.

LEG. O'LEARY:

Perhaps it would be best to have something there; that besides being •• besides being fined one, two or three times, perhaps on the fourth conviction of this particular offense that they may be facing some time, because clearly they would be avoiding the provision of this particular law.

So, I mean, in some instances I believe that it's appropriate to have language authorizing the courts to sentence up to one year's imprisonment, it's not going to happen the first •• my guesstimate, it's not going to happen the first couple of times that there's a violation, but certainly if you have a repeat offender, there should be some sort of graduated clause in here for increasing fines as well as sharing some sort of •• whether it be 30, 60, 90 days or something.

CHAIRMAN TONNA:

I would support that. And I just think, is this per instance •• that's the last thing, and I'll ask Legal Counsel •• is this per instance? I'm not sure if that's clear to me.

MS. KNAPP:

It does not say that, but we ••

CHAIRMAN TONNA:

Well, I would want to say •• I would want it to be specific per instance.

LEG. FOLEY:

The point, Mr. Chairman, is it shouldn't just be per instance. To take up on Legislator O'Leary's point is that there should be an increase ••

CHAIRMAN TONNA:

Right.

LEG. FOLEY:

•• with each, so it's not an increase, a graduated ••

CHAIRMAN TONNA:

Yeah, but they might have 20 violations, they come in and they say "Here's your thousand dollar fine." You know, somebody could say, "Hey, I can make money in this, I'll pay my thousand." So, you know, it should be per instance ••

LEG. FOLEY:

Right.

CHAIRMAN TONNA:

•• and then it graduates up, so the first time it's •• just like our immigration law with the 99, it's per instance. We saw Wal•Mart paid \$11 million the other day for breaking the law because they had to pay \$10,000 or whatever per instance. Okay, thank you.

Okay, so I'm •• since it's in front of us, I'm going to make a motion to table.

LEG. O'LEARY:

Second.

CHAIRMAN TONNA:

Okay, seconded by Legislator O'Leary. All in favor? Opposed?

Tabled (VOTE: 7•0•0•0). And I'd be glad to work with the sponsor as far as if you make some of those changes, I'd be glad to cosponsor once they're there.

LEG. FOLEY:

Me, too.

CHAIRMAN TONNA:

1072•05 • Directing the Commissioner of Health Services to purchase a replacement mammography van (CP 4076). Is there a motion? I'll make a motion.

LEG. O'LEARY:

Motion to table. Second.

CHAIRMAN TONNA:

Okay, by Legislator O'Leary, seconded by myself. Legislator Binder, on the motion?

LEG. BINDER:

Was there a change in the •• do we have a corrected copy with the change to 600,000?

CHAIRMAN TONNA:

No.

MR. SPERO:

The Budget Review Office is in the process of drafting a corrected copy and it should be filed before the corrected copy deadline next week.

LEG. BINDER:

So then I would make a motion to discharge. Because I think there is agreement, basically, in the committee that we want to do this, the only question was having the right language. If we can have the right language, which it sounds like we will on the floor before the next meeting, it would seem that we could •• I wouldn't say approve yet because we don't have the final number, but I would make a motion to discharge so we can have it on the floor at the next meeting.

LEG. LOSQUADRO:

Mr. Chairman?

CHAIRMAN TONNA:

On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

Was there also not an issue of the type of ••

CHAIRMAN TONNA:

Technology?

LEG. LOSQUADRO:

•• technology being used, the digital imaging versus traditional radiography equipment? And if so, I think we all are in agreement for the need for a mobile facility like this. What sort of time frame are we looking at to wait for that sort of technology to come on•line? I would hate to see us purchase something that's already obsolete.

LEG. BINDER:

Mr. Chairman, if I could.

CHAIRMAN TONNA:

I think the question was asked of the Health Department or the County Executive's Office.

LEG. LOSQUADRO:

I know this was brought up last time, so I would hope we'd have a little more information at this point because I know the concern was raised last time.

MR. ZWIRN:

Thank you, Mr. Chairman. Legislator Losquadro makes a very good and valid point. I know one of the things that the County Exec was concerned about and the Legislature concurred early on in authorizing and passing a resolution that will establish a number of stationary units to be at the County health centers, which is a much better technology, gives a much better read on the information taken by the machine. The County Executive, you know, has the same feelings about this one as well; the money that's going to be spent, is this money well spent? The other mammography van should be up and running shortly, they have put the

money back into that, it was a generator that was needed, that was \$50,000, that went into the resolution which passed the stationery units. So if we could take a look at this during the next cycle, perhaps we could have a little more information, the Health Commissioner himself is at a conference in Washington. If you can just ••

LEG. LOSQUADRO:

If I may retain my time here, I have a couple of other questions.

CHAIRMAN TONNA:

Yeah.

LEG. LOSQUADRO:

Number one, you said very shortly; what type of time frame? How •• if you could just state again for the record, how old is that van? I know it has been down for a great deal of time. Ultimately, the •• I know we're talking about fixed facilities, geographically •• you know, God bless you for driving in all here all the time •• geographically Suffolk County is very large, and the east end in particular does not have access to many •• you know, ready access to many of these facilities in the way that the western part of the County does, that is why the mobile units are very important.

Now, the technology that is in the current van has worked for quite some time, granted the new technology is better. And as I said, I would •• being someone who has, you know, been very involved in the business world and seeing how companies try to keep up with technology, I never want to see us do something, purchase something that is already considered obsolete. But at the same time, we have to recognize the need on the east end and that's why I was asking, what sort of time frame would we be looking at. Because I do not agree that the fixed facilities are enough, I believe we do have to have mobile facilities. And if the van now, obviously it has experienced •• it wasn't just a generator, I know this unit has undergone a number of repairs; what sort of time frame are we looking at to get these sort of things on•line for the remainder of the County other than just these fixed facilities?

MR. ZWIRN:

I can't give you an exact timetable, but my understanding with the mobile

unit is that it is perhaps under utilized. I think it did 12,000 miles last year?

DEPUTY COMMISSIONER HARRINGTON:

If I could respond to that. First I would just like to make a comment, that it's a misconception to say that the mobile unit is not up and running; it is up and running.

LEG. LOSQUADRO:

Okay.

DEPUTY COMMISSIONER HARRINGTON:

It's been up and running then entire time we've been talking about it; in fact, I have a list of where it's been for January and February of this year and the amount of mammograms it's done.

What's happening with the unit is that it's currently in need of a generator in order to be able to do mammograms where there is no place to plug in the radiology equipment. So currently it goes to the east end health centers, it plugs in and they conduct business, and it does primarily service the east end because I know that's one of the concerns. With the generator it will be able to provide the same services without the need to have to plug in to an electrical source.

LEG. LOSQUADRO:

It won't have to be tethered, correct.

DEPUTY COMMISSIONER HARRINGTON:

Correct. So it has been up and running and, in fact, I have a list of how many patients that they've been saying there and it's been operating fine. The generator will give us more versatility, certainly, but clearly it's been up and running. It was Dr. Harper's opinion that it's servicing the clients that it needs to service and that it's fully functional now and performing, you know, the needs that we have. So he would prefer to wait and see what becomes available, because currently not only is the ability of the technicians to get better results, clearly it's more advanced at an on-site facility, but digital radiology is also on its way.

LEG. LOSQUADRO:

Well, that is to what I was ••

DEPUTY COMMISSIONER HARRINGTON:

But it's not available now, mobile, at all.

LEG. LOSQUADRO:

Well, not in the mobile. Obviously all of the major health care facilities now, and it's not just for ease of use but there's a tremendous cost savings to be had in not having to develop film, record storage, everything is just stored digitally, there's a huge savings to be realized with the digital technology. But do we have any indication, you said he'd like to wait, is there some sort of indication that this technology might be available in a mobile•type platform or would this be something that •• that's just something that someone would like to see and we're just going to, you know, sit by and hope that that comes to fruition in a mobile•type package?

DEPUTY COMMISSIONER HARRINGTON:

Well, I think what his comments were was that he felt that the mobile unit that we have is certainly functioning and that we don't have a need for two, regardless of what kind of capability are installed in that unit. So he felt that one mobile unit was sufficient and I think he'd rather put the money into digital at on•site locations.

CHAIRMAN TONNA:

Legislator Kennedy.

LEG. KENNEDY:

Ms. Harrington, you said that you have a schedule there and the van is actually going around.

DEPUTY COMMISSIONER HARRINGTON:

Yes.

LEG. KENNEDY:

I had made some inquiries, I guess it was last week, and I was told that it

was only going to the Amityville or East Patchogue locations. Be that as it may ••

DEPUTY COMMISSIONER HARRINGTON:

That's not correct, it's been in Shirley, Coram.

LEG. KENNEDY:

Okay. Can you give me an idea just how many patients are seen or serviced on an average day; how many patients were seen when it went to Shirley?

DEPUTY COMMISSIONER HARRINGTON:

Well, why don't I take an average week ••

LEG. KENNEDY:

Sure.

DEPUTY COMMISSIONER HARRINGTON:

•• and I'll just read it across.

LEG. KENNEDY:

Absolutely.

DEPUTY COMMISSIONER HARRINGTON:

Say the middle of January, we had seven on Monday, ten on Tuesday, three on Wednesday, nine on Thursday, six on Friday.

LEG. KENNEDY:

So we're talking twenty something.

DEPUTY COMMISSIONER HARRINGTON:

Twenty, 29.

LEG. KENNEDY:

Twenty•five, maybe 30 people.

DEPUTY COMMISSIONER HARRINGTON:

Thirty•five.

LEG. KENNEDY:

Thirty•five people in a week.

DEPUTY COMMISSIONER HARRINGTON:

Thirty•five, and I'd say that looks about pretty average.

LEG. KENNEDY:

All right. And this technology then, what happens is the mammography I guess is administered and then the films are sent out and developed and there's some kind of subsequent contact with the patients. There's no indication at that time when they come in; is that correct?

DEPUTY COMMISSIONER HARRINGTON:

I'm really not sure, Legislator, I don't know.

LEG. KENNEDY:

All right.

DEPUTY COMMISSIONER HARRINGTON:

I can find out for you, though.

LEG. KENNEDY:

Yes, I would appreciate that.

DEPUTY COMMISSIONER HARRINGTON:

Sure.

LEG. KENNEDY:

Because that might help us a little bit when we're looking at the comparisons between the digital and the conventional current technology that we have. Any scanning is good, any monitoring is good.

DEPUTY COMMISSIONER HARRINGTON:

Uh•huh.

LEG. KENNEDY:

However, it may be of assistance as we're contemplating where things are going.

DEPUTY COMMISSIONER HARRINGTON:

And the only other piece of this that I think the Commissioner wanted me to relate to you is that between the year 2000 and now there have been enormous increases in a lot of our grant funding on the east end for mammographies. And so the Women's Health Partnership actually provides a lot of funding for women to get mammographies at hospitals, and so they have been providing services to many of our clients as well den.

LEG. KENNEDY:

Do they do this in to the community where there's radiological facilities right in the community?

DEPUTY COMMISSIONER HARRINGTON:

Yes, and in Southampton Hospital.

LEG. KENNEDY:

So they're providing grants there, too, so folks can walk in off the street.

DEPUTY COMMISSIONER HARRINGTON:

Yes, Stony Brook Hospital, Southampton Hospital, they're providing grant money for the patients to get serviced right in their own communities.

CHAIRMAN TONNA:

Yeah, I think there's a reimbursement rate that has already been established for radiological mammography units in communities that the County will pay for, given a means test or something, right?

DEPUTY COMMISSIONER HARRINGTON:

Well, my understanding was that the Women's Health Partnership facilitates most of this, yes.

CHAIRMAN TONNA:

Yeah, right, absolutely. Okay, Legislator ••

DEPUTY COMMISSIONER HARRINGTON:

I just think we have a decreased need that we're not really addressing which may be why the Commissioner felt that the one van was sufficient. But I will be happy to get back to you, Legislator, with your question.

CHAIRMAN TONNA:

Legislator Binder.

LEG. BINDER:

Thank you. What we have, I think, found, the history with mammography and mobile mammography is the reason we even started the program is that a lot of women would not go to the hospital, would not go for a mammography. The reason you're getting thirty some odd people a week and not out in, you know, the hinter land, this is Coram, Shirley, there's plenty of places, there's places for them to go, they could go, but when you make it easily accessible at a local location, you put out advertisements, you let people know that it's going to be there, women actually access it, it's not like it's down to zero here, 30 plus is 30 women who might not have gotten a mammography otherwise, and that means a lot.

It can only be in one place at one time, it's generally on the east end. But the truth is that if we had it in two places we would probably have both of them doing 30 or more a week if we had it around the County, that's number one.

Number two, the question digital versus non•digital in the mobile unit, it would seem to me we don't have a problem with the current van, non •digital, 30 women a week doing it, doing their mammography and we're getting the results and maybe saving a lot of lives with this non•digital. So I think that's number two.

Number three, we have no idea when, and that was basically what was said, when there will be a portable digital unit that could be on the vans, so it could be one year, two, three years. In the meantime, there are a number of women who won't get the service. I think at a time that we finally do have a mobile digital opportunity, we probably will be at the point where we

will retire the first van because there's going to be a point at which not only a generator goes but the van itself.

Another point is that the units that will be put into a brand new van would be a new technology, though it wouldn't be digital, it would be a lot more advanced than the current mobile technology that's in the van now. So all in all, the bottom line is that we have the opportunity here to get another van, save lives, have women who wouldn't normally access mammography access mammography all around the County, in two locations, in two mobile vans. And I would hope that we would go forward and we would do this and that's why I make a motion to discharge it, since we have to wait for the new numbers. But I think we should go forward with this and give the women of Suffolk County an opportunity to access the mammographies and we'd be saving a lot of lives.

CHAIRMAN TONNA:

Okay, just one quick observation. I've actually been in the business of mobile mammographies, we had mobile units that actually would travel to our different offices and I can tell you this; no matter anybody wants to tell you, mobile units do not provide the same quality that stationery units provide, period, end of story.

If there's a new technology out there, I would like to see. It's caused huge problems for radiologists because they take these things, they look at these films, they've got to bring people back, they've got to do all of this other stuff. And I agree with Legislator Binder, we should make, and especially the County should make every single effort to reach out to women to make sure that they're getting these things. But if the Health Commissioner right now, for one cycle, wants to say that he's going to give us some treatise on why a digital unit might offer better quality or whatever else, because I know the service problems that you have when you have •• when you're doing mammographies and the false positives and all of the other things that take place, I would be interested in hearing that, you know, for one cycle.

LEG. FOLEY:

Mr. Chairman?

CHAIRMAN TONNA:

Legislator •• but for one cycle, not for two, not for three, not for ten, for one cycle. It's already a bone of contention with regard to some Legislators and the Health Commissioner and some other issues, so I'd prefer to defer one cycle, but that's it. Legislator Foley.

LEG. FOLEY:

I think the Chairman's remarks are well taken. This committee over a period of years has been in the forefront of mammography screening for residents in this County. And at the same time, tabling this for one cycle, if you will, should not be read in any way, shape or form as turning away from that leadership roll that this committee has played in helping those who have accessed mammography services. So I'll second the motion to table to give the Chief Medical Officer, our Health Commissioner, the opportunity at the next meeting to give us his thoughts and his professional opinion on the resolution and where diagnostic technology is taking this particular field. So thank you.

CHAIRMAN TONNA:

We now •• I know Legislator Binder made the request to make a motion to approve, get it out of committee.

LEG. BINDER:

To discharge.

CHAIRMAN TONNA:

Yeah, discharge it without recommendation?

LEG. BINDER:

Right.

CHAIRMAN TONNA:

Okay. Which takes precedence, the tabling motion or ••

LEG. BINDER:

You need a second.

CHAIRMAN TONNA:

Okay, no second? We have a motion and a second to table. In favor?
Opposed?

LEG. O'LEARY:

On the motion? On the motion?

CHAIRMAN TONNA:

Legislator O'Leary.

LEG. O'LEARY:

On the motion to table, just a few comments regarding the current status of the existing van. Now, my understanding is that this vehicle is almost 12 years old and there has to be some consideration given to just how much longer it will be on the road to service those who use it throughout the County in a mobile process. And one of the •• I mean, the generator that we speak of, the \$50,000 generator, that's something that's going to go into the old van, the current one, right? And the whole purpose of that is to service areas that don't have a hook•up so that they can do the screening process. I'm assured that the new van will have all the necessary equipment to be mobile throughout the entire County, not just in the particular areas where there's hook•ups. And I have to agree with Legislator Binder, I think it's a very important service that we provide to the people in Suffolk County and my concern is that at some point in time this existing van, the current van is not going to be available because of maintenance problems, at least that's my understanding; it's 12 years old, I don't know how much the upkeep is.

DEPUTY COMMISSIONER HARRINGTON:

I'm not sure that that's correct, Legislator O'Leary. I was present at a meeting where I was told that they had done some sort of an assessment, I suppose, on the life span of the vehicle, so to speak, and they said it was at least another seven years. My understanding was that the vehicle, if my recollection is correct, was purchased in 1996, so I don't believe it to be 12 years old.

LEG. O'LEARY:

So it's not 12 years old.

DEPUTY COMMISSIONER HARRINGTON:

No.

LEG. O'LEARY:

So the information that I have is incorrect.

DEPUTY COMMISSIONER HARRINGTON:

Correct.

LEG. O'LEARY:

And I'll take that up with my aide.

CHAIRMAN TONNA:

All right, thank you.

DEPUTY COMMISSIONER HARRINGTON:

And the only other point I would like to make ••

CHAIRMAN TONNA:

Sure.

DEPUTY COMMISSIONER HARRINGTON:

•• is in looking at the information provided to me, I did a quick count on January of 2005 and there were 20 working days that month and of those, on six of those days three or lease people appeared for mammographies.

CHAIRMAN TONNA:

Right, exactly.

DEPUTY COMMISSIONER HARRINGTON:

So I'm just not sure that we really, you know, determined the need.

CHAIRMAN TONNA:

Well, be that as it may.

DEPUTY COMMISSIONER HARRINGTON:

But I leave that to you.

CHAIRMAN TONNA:

Okay, be that as it may. All right, thank you very much. There's a motion to table and a second. All in favor? Opposed? Tabled.

LEG. BINDER:

I'm opposed.

CHAIRMAN TONNA:

Legislator Binder is opposed. ***Tabled (VOTE: 6•1•0•0 Opposed: Legislator Binder).***

Okay, ***1154•05 • Approving the reappointment of Augustus G. Mantia as a member of the Suffolk County Human Rights Commission (County Executive).*** I'll make a motion to approve.

LEG. MONTANO:

Second.

CHAIRMAN TONNA:

Seconded by Legislator Montano. I know Gus Mantia, he's one of the most dedicated citizens, a great physician and somebody who really gives back to the community. He served the Human Rights Commission well and I think he deserves reappointment. All in favor? Opposed? ***Approved (VOTE: 7•0•0•0).***

1165•05 • Approving the appointment of Gary R. Mar as a member of the Suffolk County Human Rights Commission (County Executive).

LEG. O'LEARY:

Motion.

LEG. FOLEY:

Second.

CHAIRMAN TONNA:

Motion to approve by Legislator O'Leary, second by Legislator Foley. All in favor? Opposed? ***Approved (VOTE: 7•0•0•0).***

INTRODUCTORY RESOLUTIONS

1190•05 • Approving the reappointment of Daniel McGowan as a member of the Suffolk County Board of Health (Tonna). I'm going to make a motion to table and I'll tell you why. After •• excuse me.

LEG. LOSQUADRO:

Please do.

CHAIRMAN TONNA:

Yes. Actually, unbeknownst to me, this was a pro forma piece of legislation that was put in because I originally sponsored him. The fact is is that I was actually over having a drink with a Legislator and saying, "Hey, you know, my son is now working for HIP," and totally unrelated but this is the President of HIP. So I feel •• I went to Legal Counsel and I said, "I think I have to recuse myself and have to withdraw my sponsorship of this resolution," and make sure that •• you know, even though this is a volunteer position and this person has served on the Board of Health very well, I felt that there is at least a perception of a conflict and probably a real conflict, so I am going to withdraw my sponsorship.

LEG. BINDER:

Mr. Chairman?

LEG. FOLEY:

Mr. Chairman.

CHAIRMAN TONNA:

And I'd just ask •• hold it one second. I would just ask Legal Counsel, how

do we •• how do we now •• how do I not advocate for anything and withdraw and get •• you know, how do I get myself out of this?

LEG. BINDER:

Well, Mr. Chairman, can I just cosponsor the resolution before he says he withdraws it, and if he took his name off then I would then be the sponsor, it would be fine with me.

CHAIRMAN TONNA:

I know Legislator Foley has also ••

LEG. FOLEY:

Right. I had already spoken with the Chair about that very ••

LEG. BINDER:

Okay, so there are a couple of us that would do that, that would be fine.

LEG. FOLEY:

•• protocol that we could undertake. So the question for Counsel is if we today put our name on as cosponsors and then the prime sponsor withdraws his name, the precedent has been over the years that the next, if you will, cosponsor of the bill or the first cosponsor of the bill ••

LEG. BINDER:

Unless he withdraw the bill completely.

LEG. FOLEY:

•• then becomes the prime sponsor. We've done this before on occasion, it wouldn't require an actual withdrawal of the resolution, it's simply the withdrawal of the prime sponsor's name, then the cosponsors would go on as the •• the first cosponsor would go on as the prime sponsor. But can we hear from you, Counsel, on that?

MS. KNAPP:

You could certainly do that. As a matter of fact, if you'd like to ask Ilona to

add you as cosponsors and then Legislator ••

CHAIRMAN TONNA:

First ask that?

LEG. BINDER:

That's fine; please add •• it doesn't matter who's first, put us as cosponsors.

LEG. FOLEY:

I had spoken with the sponsor of the bill about the very •• so if you could put on myself and Legislator Binder, it will show as not only cosponsorship but bipartisan support ••

CHAIRMAN TONNA:

Great, and I'd like to withdraw ••

LEG. FOLEY:

•• for an outstanding member of the Board of Health.

CHAIRMAN TONNA:

Right. And I'd like to withdraw my sponsorship and just for this vote I have to completely recuse myself. As Chairman I can call the vote, but understand that that doesn't weigh one way or the other about how I, you know, feel about this except that I'm totally abstaining and recusing myself from this vote. So is there a motion to approve?

LEG. FOLEY:

Motion.

LEG. BINDER:

Second.

CHAIRMAN TONNA:

Motion to approve by Legislator Foley, seconded by Legislator Binder. All in favor? Opposed? And I abstain. **Approved (VOTE: 6•0•1•0 Abstention: Legislator Tonna)**. Thank you very much. See the problems that our children get us into?

1247•05 • Accepting a donation from the Family Service League to the Department of Health Services, John J. Foley, Skilled Nursing Facility (County Executive). There is a motion by Legislator Foley, seconded by Legislator Binder. All in favor? Opposed?

LEG. LOSQUADRO:

On the motion?

CHAIRMAN TONNA:

On the motion.

LEG. LOSQUADRO:

Are these surplus computers? They say P•3, does that stand for Pentium? Are these surplus computers from the Family Service League? And if so, why, when we can barely get rid of our own surplus computers, are we accepting surplus computers from another agency? With all the good agencies that the Family Service League deals with, I could recommend a few in my own district who could use surplus computers.

LEG. BINDER:

You might want to ask Ben, the sponsor is the County Executive.

CHAIRMAN TONNA:

Well, maybe ••

LEG. LOSQUADRO:

I'm wondering.

CHAIRMAN TONNA:

Obviously, if the Department of Health thought that they needed to take this as a donation, maybe you can give us some rationale.

DEPUTY COMMISSIONER HARRINGTON:

It's for the residents of the nursing facility, it's not for the employees of the Health Department.

LEG. LOSQUADRO:

Ah ha.

CHAIRMAN TONNA:

Okay, there we go; voila.

LEG. LOSQUADRO:

Thank you for the clarification.

CHAIRMAN TONNA:

Thank you. All right, all in favor? Opposed? **Approved (VOTE: 7•0•0•0).**

1255•05 • Amending the 2005 Adopted Budget to the accept and appropriate additional 100% State aid for Catholic and Pederson •Krag from the New York State Office of Alcoholism and Substance Abuse Services to the Department of Health Services, Division of Community Mental Hygiene Services (County Executive). I'll make a motion, seconded by Legislator Binder. All in favor? Opposed? Approved. Now I'd ask to put this on the consent calendar, No. 1255. Second by Legislator Foley. All in favor? Opposed? ***Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

Okay, ***1265•05 • Accepting and appropriating 76.9% Federal grant funds from the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Paul Coverdell National Forensic Sciences Improvement Act (County Executive).***

LEG. FOLEY:

Motion.

CHAIRMAN TONNA:

Seconded by myself. All in favor? Opposed? **Approved (VOTE: 7•0•0•0).** I would not put this on consent calendar because it's not a hundred percent funding.

Okay, **1268•05 • Appropriating funds in connection with the purchase of equipment for Medical, Legal Investigations and Forensic Sciences (CP 1132).**

LEG. FOLEY:

Motion.

CHAIRMAN TONNA:

Motion by Legislator Foley, seconded ••

LEG. O'LEARY:

Second.

CHAIRMAN TONNA:

Second by Legislator O'Leary. All in favor? Opposed?

MR. SPERO:

Mr. Chairman?

CHAIRMAN TONNA:

Yes?

MR. SPERO:

Just to point out to the committee, there are four resolutions that are appropriating Capital funding for certain projects.

CHAIRMAN TONNA:

Uh•huh.

MR. SPERO:

These are normally pay•as•you•go projects and they're being funded with serial bonds. I just want to point out that we have pay•as•you•go funding in the Operating Budget ••

CHAIRMAN TONNA:

Why are we doing that? Okay, so I'm going to right now •• we didn't call the vote yet on 1268.

LEG. FOLEY:

Just on the motion, Mr. Chairman? All right, go ahead, make a motion.

CHAIRMAN TONNA:

Just wait, I'd ask the question •• on the motion, I'd ask the question of the County Executive; why aren't we using serial bonds?

MR. ZWIRN:

No, why are we using ••

CHAIRMAN TONNA:

Why are we? I'm sorry.

MR. ZWIRN:

Well, I think that •• as we discussed before ••

CHAIRMAN TONNA:

Instead of pay•as•you•go.

MR. ZWIRN:

Because I think we're not sure exactly where the County stands financially at this stage and we're anticipating a deficit. So we're trying to hold the pay•as•you•go money aside for right now to make sure, you know, it's real money and that it can be used to offset any proposed deficit that we have in 2005.

CHAIRMAN TONNA:

Well, I would say •• I withdraw my motion to approve then, at this point. I mean, that's what we budget pay•as•you•go money for and it's not for a deficit stopper. It's to be utilized when it meets the criteria and we're talking about, you know, pay•as•you•go is a lot less expensive in the long run. And since we already have the possibility of a jail and everything else when we're talking about bonding and everything, I think that's why we have pay•as•you•go money and it shouldn't be used as something to say let's close a budget deficit, it should be used to save money, you know, in the long•term, exactly.

LEG. BINDER:

Mr. Chairman?

LEG. FOLEY:

Mr. Chairman?

CHAIRMAN TONNA:

So Legislator Binder and then Foley.

LEG. BINDER:

Mr. Chairman, I actually then would replace your motion to approve, and the reason I would do that, not that I think we're running into that deficit situation again. I guess I'm getting a little concerned when I hear the County Executive say that the deficit's coming, the deficit's coming. But generally, I think, it's been my feeling that when you're in an environment of low interest, low interest rates, that is the time that you want to use that money rather than use things like pay•as•you•go money, because pay•as•you•go money that is here at the end of the year will be here for roll over, for tax relief, for ease in budgeting next year. And so it seems to me that the time to borrow is the time of low interest.

If we were at •• I've been here 16 years, so in 16 years we've had some high interest years, and in those years I would completely say pay•as•you•go is the right way to go, dollar for dollar, that's what you should do. But when you're paying a few percent on the dollar, and that's where we are right now, that's when you should maximize your borrowing and minimize your taxes. And then later on, as I say, then when the interest rates go up then we should maximize the other side of the ledger and we shouldn't be doing this. But knowing you have the opportunity at very low cost, right now is the time to borrow. So I make a motion to approve.

LEG. FOLEY:

Second the motion to approve.

CHAIRMAN TONNA:

Okay. There's a ••

LEG. FOLEY:

Again, the point is well taken. It's a ••

CHAIRMAN TONNA:

Wait, wait, there's a motion to approve and a second. And I'll make a motion to table, if there's a second.

LEG. MONTANO:

Second.

CHAIRMAN TONNA:

Second by Legislator Montano. Okay, Legislator Foley, you have the floor.

LEG. FOLEY:

Yeah. To echo Legislator Binder's point, the rates are very low, this is a five year bond on •• if you look at the backup, on \$225,000 serial bond we're paying at most \$26,000.

The fact of the matter is it's a very low rate. We do have •• we have given ourselves the ability, when we approved this year's budget, to waive the pay •as•you•go provisions when needed, so this is in keeping with the current practices and our immediate past practices. As much as there's an issue with the deficits, there's also, as we know, to this point growing, unfunded mandates that are foisted upon this County. That being the case, we have given ourselves the flexibility of waiving the pay •as•you•go policy because of the increasing amount of unfunded mandates that are really placing a burden on our operating budget, therefore utilizing programs and projects that otherwise would qualify for capital expenditures under the Capital Program. So this resolution is in keeping with that and I concur with Legislator Binder's observations.

CHAIRMAN TONNA:

Okay.

LEG. O'LEARY:

A question on the motion.

CHAIRMAN TONNA:

Yes, Legislator O'Leary?

LEG. O'LEARY:

Just a question of BRO. If 1268 through 74 are approved, what will be balance left in the pay•as•you•go? Because there's no indication what the costs are.

MR. SPERO:

There's over \$11 million which was funded in the pay•as•you•go account and I think only 200,000 of it has been used so far. So if you choose to ••

LEG. BINDER:

How much are they for?

LEG. O'LEARY:

What's the approximate total cost?

MR. SPERO:

Okay, this resolution is 2225,000; the next one, 1273, is 85 •• 86,000 rounding up; 1282 is the next pay•as•you•go, that's \$204,410; and 1317 for the Water Quality model is \$100,000 in County funds.

CHAIRMAN TONNA:

Okay.

MR. SPERO:

So that's about six or 700,000.

LEG. O'LEARY:

It's about six, 700,000?

CHAIRMAN TONNA:

Right.

LEG. O'LEARY:

Out of the 11 million that we have?

CHAIRMAN TONNA:

Right. Okay, there's a motion and a second to table, there's a motion and a second to approve; the tabling motion has precedent. All in favor of tabling? Opposed?

LEG. O'LEARY:

Opposed.

LEG. LOSQUADRO:

Opposed.

CHAIRMAN TONNA:

Okay, we have Legislator O'Leary opposed, Legislator Losquadro, Kennedy, Binder and Foley; okay, that motion fails.

LEG. BINDER:

Motion to approve.

CHAIRMAN TONNA:

Motion to approve by Legislator Binder, second by Legislator Foley. All in favor? Opposed? Myself, I'm opposed.

LEG. MONTANO:

Make it three.

CHAIRMAN TONNA:

Okay, just the two of us; who else is opposed?

LEG. O'LEARY:

No one.

CHAIRMAN TONNA:

Just two opposed, motion passes. ***Approved (VOTE: 5•2•0•0 Opposed: Legislators Tonna & Montano).***

How about we do same second, same vote on the next three?

1273•05 • Appropriating funds in connection with the purchase of equipment for John J. Foley Skilled Nursing Facility (CP 4041).

Same motion, same second, same vote. **Approved (VOTE: 7•0•0•0).**

1274•05 • Appropriating funds in connection with the improvements at the John J. Foley Skilled Nursing Facility (CP 4057). Same motion, same second, same vote ••

MR. COHEN:

No, no, 1274 is not one.

CHAIRMAN TONNA:

Oh, it isn't? I have 68, 73, 74 ••

MR. SPERO:

It's 1282, 74 is not a pay•as•you•go, 82 would be •• 1282 would be pay•as•you•go and 1317.

CHAIRMAN TONNA:

Okay, 74 is not •• okay. What is 74? There's a motion •• I'll make a motion to approve on 1274.

LEG. BINDER:

Second.

CHAIRMAN TONNA:

Second by Legislator Binder. On the motion, what does 1274 do as opposed to other ones?

MR. SPERO:

These are building improvements, typically that would be about ten year use for life.

CHAIRMAN TONNA:

Okay, great.

LEG. FOLEY:

Motion.

CHAIRMAN TONNA:

There's a motion and a second already. All in favor? Opposed?

Approved (VOTE: 7•0•0•0).

Okay, ***1282•05 • Amending the 2005 Capital Budget and Program and appropriating funds in connection with a Methadone Maintenance Information System (Viloria•Fisher).*** This is just so •• we've already talked about this beforehand, Legislator Binder, there was somebody speaking about this. Just to recap, this is a •• we understand that there would have to be a whole new RFP process and this is amending the Capital Budget.

LEG. LOSQUADRO:

Motion to table.

CHAIRMAN TONNA:

Motion to table by Legislator Losquadro.

LEG. O'LEARY:

Second.

CHAIRMAN TONNA:

Seconded by Legislator O'Leary. On the motion, we said that this could be subject to pay•as•you•go money and it's not, right? Right now we're talking about bonding it.

MR. SPERO:

That's correct.

CHAIRMAN TONNA:

Okay. All in favor? Opposed? ***Motion tabled (VOTE: 7•0•0•0).***

All right, **1290•05 • Establishing an Emergency Medical Technician (EMT) Certification Reimbursement Program for Suffolk County employees (Bishop)**. Is there a motion to approve? I'll make a motion to approve for the purposes of a ••

MR. ZWIRN:

Mr. Chair?

CHAIRMAN TONNA:

Yeah?

MR. ZWIRN:

The County Executive's Office would ask that this be tabled right now. It is on the ••

CHAIRMAN TONNA:

Okay, great. Motion to table, seconded by Legislator Binder.

LEG. O'LEARY:

In that case, I make a motion to approve.

CHAIRMAN TONNA:

All in favor? Opposed? **Tabled (VOTE: 7•0•0•0)**.

Okay, **1293•04 • Adopting Local Law No. 2005, a Local Law to regulate the use of tanning facilities for minors in Suffolk County (Binder)**. Legislator Binder, this is your resolution.

LEG. BINDER:

I'd make a motion to discharge.

CHAIRMAN TONNA:

Okay, motion to discharge. Is there a second?

LEG. O'LEARY:

Motion to table.

CHAIRMAN TONNA:

Motion to table by Legislator O'Leary.

LEG. FOLEY:

Second.

CHAIRMAN TONNA:

Second by Legislator Foley. All in favor? Opposed? ***Tabled (VOTE: 7•0•0•0•0).***

Okay. ***1300•05 • Adopting Local Law No. 2005, a Local Law to strengthen the enforcement of penalties for substandard rental housing (Caracappa).*** Is there a motion?

MS. JULIUS:

It has to be tabled.

CHAIRMAN TONNA:

It has to be tabled, okay. Motion by myself ••

LEG. O'LEARY:

Motion to •• second the motion to table.

CHAIRMAN TONNA:

Second by Legislator O'Leary.

LEG. O'LEARY:

And please put me down as a cosponsor.

CHAIRMAN TONNA:

Okay. All in favor? Opposed? Great, ***tabled (VOTE: 7•0•0•0•0).***

LEG. LOSQUADRO:

Ilona, cosponsor as well.

CHAIRMAN TONNA:

You could put that down. But on the •• that's subject to a public hearing, is that why?

MS. JULIUS:

Yes.

CHAIRMAN TONNA:

Yeah, thank you.

LEG. FOLEY:

Ilona, through the Chair, could you also list me as a cosponsor of the bill?

CHAIRMAN TONNA:

Could you just •• could Legal Counsel tell us what this bill does?

MS. KNAPP:

This bill would require that landlords who house Social Service recipients be required to file a verified form stating that they're in compliance with all building and zoning codes.

CHAIRMAN TONNA:

Great. Put me down as a cosponsor. Great, thank you very much.

LEG. BINDER:

Put me down, too.

CHAIRMAN TONNA:

How about the whole committee? Do you guys want to •• this is one of those motherhood and apple pie things.

LEG. MONTANO:

No ••

CHAIRMAN TONNA:

Legislator Montano is the only one who's asking ••

LEG. O'LEARY:

I think the Commissioner of Social Services would take some objection to that.

CHAIRMAN TONNA:

Okay. So it's public hearing so we'll listen to the public comments. But all in favor? Opposed? Legislator Montano is opposed to •• oh, you're for tabling it. Okay, we're all tabling it.

LEG. MONTANO:

I'll table it, I just don't want to go on as a cosponsor.

CHAIRMAN TONNA:

Okay, great, right.

Okay, ***1317•05 • Amending the 2005 Capital budget and Program and appropriating funds in connection with the Water Quality Model • Phase IV (CP 8237).*** Is there a motion?

LEG. FOLEY:

Explanation.

CHAIRMAN TONNA:

Let's make a motion first. I'll make a motion to approve.

LEG. O'LEARY:

Second.

CHAIRMAN TONNA:

Second by Legislator O'Leary. On the motion, what does this do, Legal Counsel?

MS. KNAPP:

A detailed explanation seems to be forthcoming.

CHAIRMAN TONNA:

Okay.

MS. KNAPP:

It's the Water Quality model that the ••

CHAIRMAN TONNA:

This is what we've been working on?

MS. KNAPP:

We've talked about it.

MR. DAWYDIAK:

It's not going to be that detailed.

CHAIRMAN TONNA:

Okay.

MS. KNAPP:

The one question I have, though, is it 700,000 or 800,000? Because I couldn't get it to add up right.

MR. DAWYDIAK:

Yeah, a good question; it's actually a total of \$800,000. A \$700,000 contract has been awarded to Camp Dresser & McKee that \$700,000 is cash, a \$100,000 is in-kind services provided by the Suffolk County Water Authority.

CHAIRMAN TONNA:

Great. Thank you.

LEG. FOLEY:

Motion.

CHAIRMAN TONNA:

Okay, there's already a motion by myself, seconded by Legislator O'Leary. All in favor? Opposed? **Approved (VOTE: 7•0•0•0).**

Great, thank you very much. Have a good day. Oh, Sense; sorry, sorry.

SENSE RESOLUTIONS

Sense 23 • 2005 • Memorializing Sense Resolution requesting the Federal government to enact the Breast Cancer Patient Protection Act (Kennedy). Legislator Kennedy, there's a motion by Legislator Kennedy, seconded by myself. All in favor? Opposed? Okay.

LEG. FOLEY:

Mr. Chairman?

CHAIRMAN TONNA:

Put me down as a cosponsor.

LEG. FOLEY:

Mr. Chairman?

CHAIRMAN TONNA:

Yes, Legislator Foley.

LEG. FOLEY:

If not for this meeting, if you could ask, since the Commissioner will be •• I'm assuming the Commissioner will be available for the next committee meeting. We need to follow•up on the issue of contracts with the Tobacco Control program.

CHAIRMAN TONNA:

Great.

LEG. FOLEY:

We had a very good meeting about a month ago with the Commissioner, but we do need to continue the committee's dialogue.

CHAIRMAN TONNA:

Absolutely. And I've received some correspondence that basically, despite the great dialogue, that the County Executive's Office is basically saying, "Forget it, we don't give a sh..., I don't care what you say," so that's a very big concern. But I think maybe what we did, the Deputy Commissioner is here, maybe we could ask that the Commissioner come prepared ••

LEG. FOLEY:

Right, for the next meeting.

CHAIRMAN TONNA:

•• for the next meeting to talk about our, one, the advertising and, two, the whole issue of ••

LEG. FOLEY:

Evaluation.

CHAIRMAN TONNA:

•• of evaluation.

LEG. FOLEY:

Right.

CHAIRMAN TONNA:

You know, with the mantra you cannot manage unless you measure.

Thank you very much. Have a good day. I said shoe, he didn't give a shoe about it.

(*The meeting was adjourned at 12:47 PM*)

***Legislator Paul Tonna, Chairman
Health & Human Services Committee***

_ _ • ***Denotes Spelled Phonetically***